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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,362	12/02/2003	Kouichirou Houjyou	FUJI 20.760 (100794-00511	6400

26304 7590 08/24/2007

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EXAMINER	
GRAY, CHRISTOPHER B	

ART UNIT	PAPER NUMBER
2616	

MAIL DATE	DELIVERY MODE
08/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/728,362	HOUJYOU ET AL.	
	Examiner	Art Unit	
	Christopher Gray	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *02 Ded. 2003 and 11 July 2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-13 are rejected under 35 U.S.C. 102(b) as anticipated by Uemastu et al (US 6,785,224 B2).

Regarding claims 1 and 11, Uemastu displays in Figure 2, a ring configured network comprising of, but not limited to, four nodes (A-D), which are capable of generating and transmitting packets/messages, to transport the packets/messages around the ring configured network. Uemastu's Figure 2 reads on the instant invention's Figure 1 that displays a bidirectional ring configured network. Uemastu discloses transmitted data circulating around the ring type network from one node to another node, wherein each node has a transmitting side and a receiving side (see Figure 3, col. 5-col. 7). Uemastu further teaches the message/packet being detected, with reference to Figures 3 and 6 and col. 5 and 4, it is stated the node is detected with a received message/packet and a detection of an available node is determined based off information contained in the message/packet; which anticipates the instant

invention's limitations of a message being transmitted in a ring type network, detecting the received message, and searching for an available node.

Regarding claims 2 and 5, Uemastu anticipates a "self-node setting and transmission part", in col. 3, lines 7-18, wherein it states a node adding its own node ID to the message/packet being transmitted and taking the original message along with the added own node ID and continuing to transmit the message to other nodes in the ring type network.

Regarding claims 3 and 6, Uemastu anticipates the "self-node setting and transmission part" reading the information to determine the ring type, setting the "self-node number" in the packet when the transmitting node and the receiving nodes have the same ring type and transmitting the packet to another node; and when the transmitting node and receiving node do not match, transmitting the packet without setting the "self-node number"; wherein it states if the terminating node is the same as the transmitting node, the node ID stays the same but when the terminating node is different the data is constructed with new information and without the "self-node"/own node information and transmitted along the ring type network. (col. 3 lines 4-28).

Regarding claims 4 and 12, Uemastu displays in Figure 2, a ring configured network comprising of, but not limited to, four nodes (A-D), which are capable of generating and transmitting packets/messages, to transport the packets/messages

around the ring configured network. Uemastu's Figure 2 reads on and anticipates the instant invention's Figure 1 that displays a bidirectional ring configured network. Uemastu discloses transmitted data circulating around the ring type network from one node to another node, wherein each node has a transmitting side and a receiving side (see Figure 3, col. 5-col. 7). Uemastu further states, in columns 6-7, data being received at a node is detected and compared to see if the data belongs to a different node's ID or the same transmitting node's ID. The cited prior art anticipates the instant invention's limitations of a message being transmitted around a ring type network and detecting if a receiving node is available, where it is known that when a packet, message, or data is being transmitted and received at a node, the receiving node will detect if the node is available for reception.

Regarding claims 7 and 13, Uemastu teaches, in Figure 2, a ring network with more than one node where each node serves as a transmitter and one node generating and sending a message/packet. With the message/packet being generated and transmitted the message/packet will be passed around the ring network until it reaches its destined location/node. Uemastu further teaches topology data being included in the message/packet. Uemastu cites the invention as being able to construct topology necessary for a BLSR [Bidirectional line switched ring] configuration (col. 1-col. 2). In col. 6 lines 56-67 and col. 7, Uemastu teaches, with reference to Figure 6, topology data being generated, transmitted, and received along with a message/packet in a ring type

network. Uemastu further teaches a node reading an incoming message/packet and the topology data according to the transmitting node.

Regarding claim 8, Uemastu teaches, with Figure 6, the topology data being generated and transmitted with the original message/packet around the ring type network. Uemastu further states the topology data being set in a topology table (database), which contains previously transmitted topology data. (Col. 6 lines 55-67 and col. 7 lines 1-50).

Regarding claim 9, the instant invention claims a target node is read, which in interpreted as being the receiving node, where Uemastu teaches the node receiving compare its ID in the message/packet to the ID of the master node, which refers to the instant invention's limitation of a "self node", and if the ID's are the same the topology data are kept and unchanged, where Uemastu has previously state the topology is set in a topology table. (col. 7 lines 23-50).

Regarding claim 10, Uemastu, with reference to Figure 14, teaches the nodes contain the capability of reading BLSR/open ring identification information, which indicates to the node the connection of the network and if switching is needed, which refers to the instant invention's limitation of identifying the ring type network. Uemastu also teaches, with reference to Figure 15, when the ring number of receiving node and transmitting node are the same the topology data is set in a topology table, which refers

to the claimed database of the instant invention (col. 12 lines 59-67, col. 13 and 14 lines 1-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Gray whose telephone number is (571)-270-1823. The examiner can normally be reached on Monday-Friday 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Garber can be reached on (571)-570-1202. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CBG

Yuehan Pan